

REMARKS

Claims 1 and 7 are pending in this application. By this Amendment, claim 1 is amended to incorporate the subject matter of claim 10, and claim 10 is canceled to avoid redundancy. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments:

(a) place the application in condition for allowance; (b) do not raise any new issue requiring further search and/or consideration; and (c) place the application in better form for appeal, should an appeal be necessary. Entry of the amendments is thus respectfully requested.

I. Priority Documents

The Office Action Summary sheet indicates that none of the copies of the certified priority documents have been received from the International Bureau. Accordingly, a Request to Retrieve Electronic Priority Application is being filed to request that the U.S. Patent and Trademark Office retrieve the certified priority documents from the Japanese Patent Office.

II. §112 Rejection

The Office Action rejects claims 1, 7 and 10 under 35 U.S.C. §112, first paragraph. In particular, the Office Action asserts that Applicants' specification provides a second temperature rise rate between 2-40°C/hr and a first and third temperature rise rates to be at least 40°C/hr. The Office Action asserts that, thus, the specification provides or confines the temperature rise rates to the noted magnitudes. Applicants disagree.

Although the specification discloses these asserted "noted magnitudes," the specification is not confined to these noted magnitudes. Other parts of the specification disclose other magnitudes. For example, Table 2 discloses that the first and third temperature rise rates are equal to or greater than 50°C/hour, and the second temperature rise rate is between 2 and 30°C/hour.

However, in the interest of expediting prosecution, claim 1 is amended to incorporate the subject matter of claim 10. Accordingly, claim 1 is amended to recite ranges of magnitudes of temperature rise rates.

Withdrawal of the rejection is requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:BKK/jls

Attachment:

Request to Retrieve Electronic Priority Application

Date: September 17, 2010

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